

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION**

United States of America,

Plaintiff;

Case No. 18-06112-CV-SJ-ODS

vs.

**\$470,558.94 seized from Platte
Valley Bank account no.
XX2121 in the name of Zieson
Construction Company, LLC;
et al.,**

Defendants.

NOTICE OF COMPLAINT FOR FORFEITURE

TO: Matthew McPherson
c/o John C. Aisenbrey
Partner
Stinson Leonard Street LLP
1201 Walnut Street, Suite 2900
Kansas City, MO 64106

The enclosed Complaint is sent pursuant to Rule G(4)(b) of the Supplemental Rules of Admiralty or Maritime Claims and Asset Forfeiture Actions.

1. DATE OF NOTICE: July 24, 2018
2. FORFEITURE COMPLAINT: On July 19, 2018, the United States of America filed a civil complaint seeking forfeiture, pursuant to 18 U.S.C. § 981(a)(1)(A) and 18 U.S.C. § 981(a)(1)(C), in the United States District Court for the Western District of Missouri against the following defendant properties:

- A. \$470,558.94 seized from Platte Valley Bank (PVB) Account No. XX2121 in the name of Zieson Construction Company, LLC (PVBx2121);
- B. \$127,828.05 seized from CoreFirst Bank (CFB) Account No. XX6352 in the name of Onsite Construction Group, LLC (CFBx6352);
- C. \$15,370.79 seized from Landmark National Bank (LNB) Account No. XXX9754 in the name of First Avenue Leasing, LLC (LNBx9754);
- D. \$1,000,000.00 seized from PVB Account No. XX2022 in the name of Zieson Construction Company, LLC (PVBx2022);
- E. \$370,536.32 seized from CFB Account No. XXX1454 in the name of Zieson Construction Company, LLC (CFBx1454);
- F. \$346,012.31 seized from CFB Account No. XXX3271 in the name of Simcon Corp (CFBx3271);
- G. \$60,311.44 seized from VisionBank (VB) Account No. XXX3483 in the name of TDM Holdings, LLC (VBx3483);
- H. \$31,737.79 seized from PVB Account No. XXX7325, in the name of METS, LLC (PVBx7325);
- I. \$11,216.82 seized from PVB Account No. XXXX2259 in the names of Patrick Michael Dingle and Sarah Rowe (PVBx2259);
- J. \$51,267.58 seized from PVB Account No. XXX2127 in the name of Haavig & Associates, L.L.C. (PVBx2127);
- K. \$550,000.00 seized from Community Bank (CB) Account No. XXX6372 in the name of Torgeson Electric Company, Inc. (CBx6372);

- L. \$218,313.97 seized from U.S. Bank (USB) Account No. XXXX7760 in the name of Matthew L. Torgeson (USBx7760);
- M. \$44,012.00 seized from USB Account No. XXXXXX8983 in the name of MLT Investments, LLC (USBx8983);
- N. \$442,261.38 seized from PVB Account No. XXX2858 in the name of Onsite Construction (PVBx2858);
- O. \$73,786.39 seized from Navy Federal Credit Union (NFCU) Account No. X84863XXXX in the name of Stephon Ziegler (NFCUx84863);
- P. \$22,321.33 seized from PVB Account No. XXX2424 in the names of Patrick Michael Dingle and Sarah Rowe (PVBx2424);
- Q. 2015 Porsche Cayenne, Vehicle Identification Number (VIN): WP1AC2A21FLA82799;
- R. 2017 Toyota Tacoma, VIN: 5TFCZ5AN4HX091271;
- S. 2015 Porsche Macan, VIN: WP1AB2A56FLB70079;
- T. 2015 Ford F-250, VIN: 1FT7W2BT4FED49948;
- U. Ladies diamond engagement ring in 18 karat rose gold. Prong set in the center is a 4.64 carat oval cut diamond that is VVS2 in clarity, D in color and measures 12.95 x 9.55 x 5.96 mm. 102 round brilliant cut diamonds are pave' set into the engagement ring with a total diamond weight of .74 carat. A diamond eternity band is worn next to the engagement ring. The eternity band has 45 round brilliant cut diamonds prong set into the eternity band with a total diamond weight of .32 carat. The side diamonds average VS2-SI1 in clarity and GH in color. Side diamonds graded in the mounting. The engagement ring and wedding band together weigh 3.10 dwt. or 4.82 grams;

- V. Ladies diamond stud earrings in 14 karat white gold with a total weight of 2.05 carat. Set in 4 prong wire basket settings with friction posts and backs are two round brilliant cut diamonds. One is a 1.04 carat Round Brilliant cut diamond that is SI1 in clarity, G in color and measures 6.45 – 6.47 x 4.02 mm. The other is a 1.01 carat Round Brilliant cut diamond that is SI1 in clarity, G in color and measures 6.45 – 6.48 x 3.94 mm. The earrings weigh 1.30 dwt. or 2.02 grams.;
- W. Ladies diamond tennis bracelet in 14 karat white gold. Prong set in a single row around the bracelet are 59 round brilliant cut diamonds with a total weight of 5.00 carats. The diamonds average SI1-SI2 in clarity and GHI in color. Diamonds graded in mounting. The bracelet has a hidden plunger clasp and fold under safety. The bracelet weighs 7.30 dwt. or 11.35 grams;
- X. Gents Rolex Watch. Cellini in 18 karat Everose gold case. Synthetic sapphire crystal. Silver dial. Brown alligator strap with 18 karat Everose gold tang buckle. Self-winding. Dual time. Moonphase. Chronometer. 39mm case diameter. Serial # 2150X165;
- Y. Ladies Rolex watch. Oyster Perpetual Datejust in 18 karat yellow gold. Synthetic sapphire crystal. Champagne diamond dial. Fluted bezel. President bracelet. Self-winding. Chronometer. Serial#: S6412975;
- Z. Ladies Tacori Royal T Diamond Eternity Band in 18k rose gold. Prong set into the ring are 13 pear cut diamonds and 104 round brilliant cut diamonds with a total diamond weight of 2.22 carats. The diamonds average VS in clarity and G in color. Stones graded in mounting. The ring weighs 1.90 wt. or 2.95 grams;
- AA. Ladies yellow diamond stud earrings. Each earring has a prong set cushion shaped center stone in yellow gold that weighs approximately .52 carats. These two diamonds range

in clarity from SI2-I1 in clarity and are natural fancy yellow in color. There is a halo of prong set round diamonds in 14k white gold around each center stone. These diamonds average SI1-SI2 in clarity, GH in color, and have a total weight of .24 carats. The pair of earrings weighs 2.10 dwt. or 3.27 grams;

BB. Ladies yellow diamond pendant. The cushion shaped center stone is bezel set in 18k yellow gold. It weighs .52 carats, is VS1 in clarity and natural fancy yellow in color. There is a halo of several pave set round brilliant diamonds in 18k white gold around the center stone. These diamonds average SI in clarity, FG in color, and have a total weight of .19 carats. The pendant is worn centered on 16" curb chain that is 14k yellow gold. The pendant with chain weighs approximately 2.50 dwt. or 3.89 grams;

CC. Datejust II Rolex 41mm, Serial#: J8590886;

DD. Datejust Rolex, Serial#: 6T856340; and

EE. 8309 Forest Drive NW, Weatherby Lake, Missouri 64152, together with all its buildings, appurtenances, and improvements and is more fully described as:

The following described lots, tracts or parcels of land, lying, being and situate in the County of Platte and State of Missouri, to-wit:

All of Lot 4B, Block 2 and Lot 4, NORTHSORE, a subdivision in Weatherby Lake, Platte County, Missouri and all that part of Lot 4, WEATHERBY HARBOR, a subdivision in Weatherby Lake, Platte County, Missouri, described as follows: Beginning at the Northwest corner of Lot 4, WEATHERBY HARBOR, said point being on the East line of NORTHSORE and 1.96 feet South of the Northeast corner of Lot 4, NORTHSORE; thence South 84 degrees 19 minutes 04 seconds East, along the North line of Lot 4, WEATHERBY HARBOR, a distance of 35.00 feet; thence South 00 degrees 33 minutes 28 seconds West, a distance of 85.77 feet to a point on the Southerly

line of Lot 4, WEATHERBY HARBOR and 35.00 feet Easterly of the Southwesterly corner of Lot 4, WEATHERBY HARBOR; thence North 83 degrees 02 minutes 40 seconds West along the Southerly line of Lot 4, WEATHERBY HARBOR, a distance of 35.00 feet to the Southwesterly corner of Lot 4, WEATHERBY HARBOR, also being the Easterly line of Lot 4, NORTHSHORE; thence North 00 degrees 30 minutes 23 seconds East, along the common line of WEATHERBY HARBOR and NORTHSHORE, a distance of 85.00 feet to the point of beginning.

3. FILING OF A VERIFIED CLAIM: Pursuant to Supplemental Rule G(5)(a)(ii), in order to avoid forfeiture of the defendant properties, any person who asserts an interest in the defendant property **must** file a verified claim within **35** days after the date of this notice or the date of delivery, if personally served.

4. CONTENTS OF VERIFIED CLAIM: Pursuant to Rule G(5)(a), the claim must (A) identify the specific property claimed; (B) identify the claimant and state the claimant's interest in the property; and (C) be signed by the claimant under penalty of perjury (see 28 U.S.C. § 1746).

5. FILING OF AN ANSWER: If you filed a verified claim, you **must** then file an answer to the complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days after filing the verified claim.

6. FILING WITH COURT AND SERVICE ON UNITED STATES: The verified claim and answer **must** be filed with the Office of the Clerk, United States District Court for the Western District of Missouri, 400 E. 9th Street, Kansas City, Missouri, and a copy of the claim and answer or motion must be sent to Stacey Perkins Rock, Assistant United States Attorney, 400 E. 9th Street, Fifth Floor, Kansas City, Missouri 64106.

Failure to follow the requirements set forth above may result in judgment by default taken against you for relief demanded in the Complaint. You may wish to seek legal advice to protect your interests.

Respectfully submitted,

Timothy A. Garrison
United States Attorney

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